

## **I. CLAIM REJECTIONS under 35 U.S.C. §102(b)**

The Examiner rejected claims 1-8, 10, 14, 15, and 17-20 under 35 U.S.C. §102(b) as being anticipated by Ishikawa '572. Applicants have revised independent claims 1, 7, and 14 to more fully define aspects of the present invention. In particular, claims 1 and 7 each expressly recite that the tubular reflector is an automotive tubular reflector, and claim 14 expressly recites that the tubular lighting device is an automotive tubular lighting device. For example, the reflectors of embodiments of the present invention "may be coupled to a lens means such that the body and lens means comprise an automotive lighting device, such as a CHMSL, s stoplamp, or the like. (Specification, p. 10, lines 3-5).

Applicants submit that Ishikawa '572 does not teach all the limitations of the pending claims. For example, Ishikawa '572 does not teach or suggest "[a]n automotive tubular reflector," or "[a]n automotive lighting device," as in pending claims 1, 7, and 14.

In contrast, Ishikawa '572 teaches that "[t]he strobe device which employs the reflector embodying the present invention, is used with a camera which utilizes standard 35 mm film." (Ishikawa '572, Col. 5, lines 6-8). Ishikawa '572 teaches that the illumination obtainable with the reflector corresponds to the frame zone of a 35 mm photographing lens. (Ishikawa '572, Col. 5, lines 9-12). Furthermore, Ishikawa '572 teaches that the distance between the center of the light source and the lens is 5.8 mm to accommodate the 35 mm lens (Ishikawa '572, Col. 6, lines 4-6). Therefore, the reflector configuration as taught by Ishikawa '572 appears to be solely designed for a specific application, namely a camera reflector. Consequently, Ishikawa '572 does not teach or suggest an automotive tubular reflector.

Therefore, Applicants respectfully submit that the rejection of claims 1-8, 10, 14, 15, and 17-20, as being anticipated by Ishikawa '572, should be withdrawn.

## **II. CLAIM REJECTIONS under 35 U.S.C. §103(a)**

The examiner rejected claim 11 under 35 U.S.C. §103(a) as being unpatentable over Nederpel '595 in view of Ishikawa '572. Applicants respectfully traverse. Neither Ishikawa '572 nor Nederpel '595 teach or suggest all the limitations of claim 11. In addition, there is no suggestion or motivation to modify or combine the cited references. And to establish a *prima facie* case of obviousness, (i) there must be some suggestion or motivation to modify the cited references, (ii) there must be a reasonable expectation of success, and (iii) the cited references must teach or suggest all the claim limitations. (MPEP § 2142).

### **A. Neither Ishikawa '572 nor Nederpel '595 teach or suggest all the limitations of claim 11**

For example, neither Ishikawa '572 nor Nederpel '595 teach or suggest “[a]n automotive tubular reflector comprising...a semi-circular reflector,” as in the pending claims. As explained above, Ishikawa '572 does not teach or suggest “[a]n automotive tubular reflector.” Similarly, Nederpel '595 fails to teach the present invention because Nederpel '595 fails to teach “a semi-circular reflector.”

In contrast, Nederpel '595 teaches a signaling system that includes a low-pressure rare gas discharge lamp 1 with a tubular lamp vessel 2 whose end portions each accommodate a respective electrode 3. (Nederpel '595, Col. 3, lines 15-19). Nederpel '595 describes that the lamp is held in a housing 10 that has a light-reflecting means 12 and an elongate niche 13, in which the lamp 1 is partly recessed. (Nederpel '595, Col. 3, lines 33-35). Nederpel '595 teaches that the “lamp 1 is fastened in the niche 13 in a few spots with an adhesive 4.” (Nederpel '595, Col. 3, lines 37-38). Therefore, Nederpel '595 does not teach “a semi-circular reflector,” as in the pending claims, but rather a housing with what appears to be a typical reflector. In particular, Nederpel '595 does not teach a semi-circular reflector because Nederpel '595 teaches a system in which the lamp is

fastened to the housing with an adhesive. Hence, the circular housing that surrounds the lamp cannot reflect light from the lamp since this portion of the housing and the lamp are joined together as shown in Figures 2 and 3 of Nederpel '595.

**B. No suggestion or motivation exists for modifying or combining the cited references**

The Examiner states that “[i]t would have been obvious in the one [sic] skilled in the art at the time the invention was made to combine certain reflector structure to a vehicle stop lamp, since Nederpel et al. teaches that it is known in art to have a reflector and it is necessary structure in vehicle lamp device [sic].” (Office Action, 9.19.02, p. 5).

Applicants respectfully traverse. Applicants submit that neither Ishikawa '572 nor Nederpel '595 suggest to combine a camera reflector structure as taught in Ishikawa '572 with the vehicle stop lamp as taught in Nederpel '595. Each cited reference relied on by the Examiner is directed to an entirely different subject matter. For example, Ishikawa '572 is directed to a camera reflector structure for a strobe device (Ishikawa '572, Col. 5, lines 6-8) and Nederpel '595 is directed toward a signaling system suitable for use as a central, high brake light on motor vehicles (Nederpel '595, Col. 4, line 6). Applicants also submit that it is not obvious to one skilled in the art to combine a camera reflector structure with a vehicle stop lamp.

Obviousness can be established by combining or modifying the teachings of the cited references to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found in the references themselves or in the knowledge generally available to one of ordinary skill in the art. (§ MPEP 2143.01). Therefore, the teaching or suggestion to make or arrive at the claimed combination must be found in the cited references, not in applicant's disclosure because the references must be viewed without the benefit of impermissible hindsight vision afforded by the claimed invention (§ MPEP 2141 and 2143).

Since no teaching or suggestion exists in either Ishikawa '572 or Nederpel '595 to modify their respective reflectors to arrive at the claimed invention, then their combination is improper as to render the present claims obvious.

### **III. SUMMARY**

In conclusion, it is submitted that Applicants have overcome each of the Examiner's rejections. Therefore, the present patent application, including pending claims 1-8, 10-11, 14-15, and 17-20, are in condition for allowance and early notice to this effect is earnestly solicited.

If for any reason, the application is not considered to be in condition for allowance and an interview would be helpful to resolve any remaining issues, the Examiner is requested to contact the undersigned at (312) 913-0001.

Respectfully submitted,

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